

DECLARATION OF SERVICE

I, **Thomas A. Johnson**, hereby declare under penalty of perjury that that on October 15, 2005, a true and correct copy of the document captioned:

NOTICE OF WITHDRAWAL OF EMERGENCY *EX-PARTE* REQUEST OF THE ACCARDI APPELLANTS AND ROCHELLE BOOKSPAN FOR TEMPORARY STAY OF ORDER RELEASING IT TRUSTEE FROM RESERVE ORDER AND AUTHORIZING DISTRIBUTION OF SCHEDULE C-1 RESERVE, AND FOR ORDER SETTING BRIEFING SCHEDULE; MOTION FOR STAY, PENDING APPEAL, OF ENFORCEMENT OF ORDERS DISMISSING ADVERSARY PROCEEDINGS, OF ORDER RELEASING IT TRUSTEE FROM RESERVE ORDER AND AUTHORIZING DISTRIBUTION OF SCHEDULE C-1 RESERVE; REQUEST IN THE ALTERNATIVE FOR TEMPORARY STAY PENDING FILING OF REQUEST FOR EMERGENCY STAY WITH UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

was served upon the persons listed on the attached Exhibit "A" in the manner indicated.

Dated: October 15, 2005
Santa Barbara, California

/s/ Thomas A. Johnson

Thomas A. Johnson